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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion to Conduct a Comprehensive Examination of Investor Owned Electric Utilities' Residential Rate Structures, the Transition to Time Varying and Dynamic Rates, and Other Statutory Obligations.	Rulemaking 12-06-013 (Filed June 21, 2012)

OPENING BRIEF
OF THE OFFICE OF RATEPAYER ADVOCATES
ON PUBLIC UTILITIES CODE SECTION 745 TRACK

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I. INTRODUCTION AND SUMMARY OF RECOMMENDATIONS

In Decision (D.) 15-07-001, the California Public Utilities Commission ("the Commission") authorized California's Investor Owned Utilities ("utilities") to begin the process of moving to default Time of Use (TOU) rates for their residential electric customers. The Commission was clear in its reasoning for doing so, stating that the change to TOU rates "will allow for more accurate allocation of costs and for energy rates to more fairly reflect the cost of service. [The Commission expects] that the time-of-use rates approved by this decision will reduce overall electricity costs for all customers in the long-term."[1]

Absent reasonable evidence showing unreasonable hardship caused by TOU rates, all customers who are not subject to statutory exclusion per Public Utilities (P.U.) Code Section 745, should be included in the Default TOU pilots.

The Default TOU Pilot should include customers enrolled in the California Alternate Rates for Energy and Family Electric Rate Assistance (hereinafter, collectively "CARE/FERA") programs who reside in hot climate zones. The Default TOU Pilot period will provide the Commission, the utilities, and the intervenors an important opportunity to engage with and learn from low income customers about their interaction with TOU rates. As ORA will explain below, valuable insights can be gained by engaging with and learning from CARE/FERA hot climate zone customers as much as possible during the Default TOU period and before roll out of the Initial Default Mass Migration Period (hereinafter, "Mass Migration").

ORA proposes a moderate peak-to-off-peak ratio, and moderate summer-to-winter seasonal rate differentials, as a straightforward method to reduce bill increases for customers, including CARE/FERA customers that reside in hot climate zones. ORA developed this approach as a means to mitigate the increases that some CARE/FERA hot

[1] D. 15-07-001, p. 1.

climate zone customers had experienced through the Opt-In Pilots which employed significantly higher peak-to-off-peak ratios.

ORA supports the near-consensus reached at the May 18 and 22, 2017, Workshop/Hearing, that the utilities should engage in robust marketing, education, and outreach (ME&O) to increase customer awareness and knowledge about how to benefit from TOU rates, or get on the rate option that makes the most sense for the individual customer.

ORA also proposes several additional mitigation measures which will help vulnerable customers adjust to TOU rates, including a summer moratorium on disconnections, utilities' promotion of the Level/Balanced Payment Plan, and broad application of bill protection during the transition period. TOU rates should be considered the standard rate at the beginning of the Mass Migration, rather than the end. The Commission is not required to perform additional hardship analysis any time a rate changes.

Finally, to the extent possible, the Commission should make uniform rules for all utilities relative to TOU rates.

In summary, ORA recommends the Commission do the following:

1) Include CARE/FERA hot climate zone customers in the Default TOU Pilot, in order to meaningfully engage with and examine bill impacts for these customers before Mass Migration, and assist them in understanding how to benefit from TOU rates.
2) Adopt ORA's recommended mitigation measures to avoid the most severe bill impacts.
3) Implement TOU rates as the standard rate at the beginning of the Mass Migration period.
4) Institute uniform rules for all utilities whenever possible, allowing only for deviations on a case-by-case basis, when it is in the interest of ratepayers.

II. BACKGROUND

The Commission issued D.15-07-001 on July 3, 2015, which approved Default residential TOU rates starting in 2019, subject to the requirements of P.U. Code Section

745. Section 745 identifies several milestones that need to be met and consumer protections that must be in place prior to the utilities initiating Default TOU rates. Section 745 requires the Commission to explicitly consider the extent to which unreasonable hardship would be caused by Default TOU rates for seniors and customers in hot climate zones.

On January 23, 2017, the Commission issued the Assigned Commissioner and Administrative Law Judge's Ruling Amending Scoping Memorandum and Ruling (Amended Scoping Ruling), which identified a number of implementation issues to be considered in the current Phase 3 of the Residential Rate Reform Rulemaking. Initial results of the Opt-In TOU Pilots were made available in Nexant's California Statewide Opt-in Time-of-Use Pricing Pilot Draft Interim Evaluation Report. On April 19, 2017, ORA, the utilities, and intervenor parties filed Opening Testimony addressing the Pilot results, implementation issues identified in the Amended Scoping Ruling, and analysis required in P.U. Code Section 745. Parties filed Rebuttal Testimony on May 8, 2017. The Commission held a Workshop on May 18, 2017 and a Workshop/Hearing on May 22, 2017.

III. DISCUSSION

A. CARE/FERA hot climate zone customers should not be exempted from the Default TOU Pilot.[2]

The Commission should include as many customers as is practicable in the Default TOU Pilot, to take the important opportunity to evaluate what challenges may be experienced by customers from a switch to TOU rates. Based upon the results of the Default TOU Pilot, additional protections or exemptions could be considered for the Mass Migration phase. Some parties have proposed excluding CARE/FERA customers in hot climate zones from the Default TOU Pilot, as well as the Mass Migration.[3] ORA is

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[2] If new data emerges through the Default TOU Pilot period, before the Mass Migration, ORA may make additional recommendations for exclusions based on the Pilot outcomes.

[3] *See* Exhibit No. PG&E-301, PG&E's Amended Opening Testimony on Section 745, p. 2; *see also* Exhibit No. TURN-301, Prepared Testimony of Eric Borden, Evaluating Hardship Due to Time-of-Use

(continued on next page)

mindful of potential challenges to CARE/FERA hot climate zone customers, and proposes a number of mitigation measures designed to minimize customer bill impacts for these customers.

Since there has been no showing of unreasonable hardship incrementally caused by TOU rates, ORA supports including CARE/FERA hot climate zone customers in the Default TOU Pilot. During this crucial period, the IOUs have a unique opportunity to engage with CARE/FERA hot climate zone customers, to explain the benefits of TOU and how to control their bills, and offer them options such as enrolling in a Balanced/Level Payment Plan or opting out of TOU rates. Furthermore, the utilities will have an opportunity to explain bill protection provisions to customers. ORA's proposed summer moratorium on disconnections would similarly serve to protect low income customers from the worst effects of TOU rates.

The Default TOU Pilot should include CARE/FERA hot climate zone customers because this is a critical opportunity for the utilities to learn how these customers interact with Default TOU rates, how best to engage them, what messaging strategies are most effective, and what mitigation measures or accommodations can be made for these customers. Missing this opportunity would essentially have the utilities "flying blind" when, and if, these customers are included in Mass Migration or opt-in to TOU rates in the future. Enrolling a relatively small number of CARE/FERA hot climate zones customers in the Default TOU Pilot will allow the utilities, the Commission, and the intervenors to gain valuable data about how best to craft the Mass Migration, when significantly more customers will be participating.

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Rates on Vulnerable Population in Hot Climate Zones as revised May 17, 2017, pp. 2-3; *see also* Exhibit No. CforAT-302, The Center for Accessible Technology's Rebuttal Testimony on Section 745 Issues, p. 8.

B. TOU rates allow all customers to proactively reduce electricity use during peak hours and thereby reduce bills.

TOU rates provide an opportunity for all customers, including low income customers, to adjust the timing of their electricity usage such that they can actively reduce their energy burden. By contrast, under Tiered rates, a customer who exceeds the monthly limits of Tier 1 and crosses over into Tier 2 prices or higher, has no way to avoid higher bills, other than to cease electricity usage completely for the remainder of the billing cycle. A customer on TOU rates, on the other hand, could reduce bills by adjusting usage--reducing usage during peak periods while increasing consumption during off-peak periods. This customer empowerment is achievable through a robust marketing, education and outreach (ME&O) effort by the utilities, intervenors, and the Commission. Some parties argue that the energy burden faced by low income customers requires the Commission to exclude these customers from TOU rates on policy grounds, but this would prohibit these customers from having greater control over their bills that is possible through TOU rates as opposed to the Tiered rate structure.[4]

As discussed above, customers (including CARE/FERA hot climate zone customers) may be able to reduce their overall bills under TOU by modifying their behavior. Of course, every customer will have a different ability and interest in adapting behavior, which is why robust and individualized customer ME&O is important to support a successful roll out of Default TOU rates. The utilities' ME&O programs should include identification of customers who would benefit from opting out of TOU, and facilitation to the switch to Tiered rates.

Through the ME&O programs, those customers who may be unwilling or unable to effectively adjust their usage will know that they can switch to a Tiered rate schedule or utilize a Balanced/Level Payment Plan. Results from the Opt-In Pilots consistently show that customers as a whole, in all utilities' service territories, do respond to TOU

[4] *See id.*

price signals and shift load to off-peak periods.[5] While there was variation overall in the amount of load shifting by climate and by customer segment, the overall trend was clear.[6] When given an appropriate price signal, CARE/FERA customers in the Opt-In Pilot consistently exhibited load shifting behavior on every pilot rate.[7] While CARE/FERA customers did display less load shifting on average than higher income customers, this is at least partly the result of a lack of understanding of their TOU rates. The Opt-In Pilot survey found a "significant disparity in understanding of the timing of the peak period between CARE/FERA and non-CARE/FERA customers."[8] With appropriate targeted ME&O, it is likely that load shifting among CARE/FERA customers can be increased.

C. Mitigation Measures

1. More moderate TOU rates should and will be used during the Default Pilot and Mass Migration than during the Opt-In Pilot.

The Commission should allow CARE/FERA customers the opportunity to participate in the Default TOU Pilot. The Opt-In Pilots used less moderate rate differentials than the Default Pilot and Mass Migration should and likely will use. The relatively large difference between peak and off-peak rates and between summer and winter average rates used by Pacific Gas & Electric Company (PG&E) and Southern California Edison Company (SCE) for their Opt-In Pilots resulted in a large percentage of customers' summer bills increasing during the Opt-In Pilot period.[9] However, such bill impacts can be mitigated. As noted in a December 2015 Joint IOU Brief on P.U. Code Section 745 Definitions, the impacts of any TOU rate, for the purposes of assessing

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[5] Exhibit No. PG&E-305, Nexant Incorporated California Statewide Opt-in Time of Use Pilot Interim Evaluation, p. 434.

[6] *Id*.

[7] *Id*.

[8] *Id*., p. 450.

[9] Exhibit No. ORA-301, ORA Opening Testimony, p. 8.

whether hardship is caused, depend greatly on the design of the specific TOU rate employed.[10]

ORA has consistently recommended milder differentials between peak and off-peak periods, and between summer and winter for Default TOU rates. PG&E and SCE have already moderated their Default TOU Pilot rates as compared to those employed in the Opt-In Pilots.[11] These types of moderate TOU rates will be effective in minimizing bill impacts if employed in the Default TOU Pilot and Mass Migration.

PG&E reports a roughly 47% reduction of summer peak price differential from Opt-In Rate 1[12] to Default Pilot Rate.[13] SCE explains its proposed Default TOU Rates 1 and 2 were designed with a goal to maximize overall customer satisfaction and acceptance of TOU rates by considerably reducing the bill impacts that customers would experience on a Default TOU rate relative to more cost-based TOU rates, which were used in the Opt-In Pilot period.[14] To reduce seasonal bill impacts, SCE moved some revenues that would ordinarily be collected in the summer to the winter, thus reducing the average difference between summer and winter rates and distancing the proposed Default TOU rates from their full cost basis during a transition period to TOU rates for residential customers.[15]

In general, the utilities have moderated their peak-to-off-peak ratios and also have made their summer rates less peaky for their proposed Default TOU Pilot rates. ORA

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[10] Joint Brief of [SCE], [PG&E] and [SDG&E] Interpreting Public Utilities Code Section 745 Definitions, 12/23/2015, p. 17.

[11] *See* Exhibit No. PG&E-301, PG&E's Amended Testimony on Section 745, p. 6; *see also* Exhibit No. SCE-301, SCE's Opening Testimony on Section 745, pp. 34-35.

[12] Opt-in Rate 1 is the most moderate rate option among PG&E's three Opt-in Pilot rates.

[13] Exhibit No. PG&E-301, PG&E's Amended Testimony on Section 745, p. 6.

[14] Exhibit No. SCE-301, SCE's Opening Testimony on Section 745, pp. 34-35.

[15] *Id.*

will evaluate the Default TOU Pilot results and may support even more moderate rates for the Mass Migration.[16]

The Commission should instruct the utilities to adopt a moderate ratio between peak and off-peak, as well as between summer and winter for utilities whose Tiered rates are not seasonally differentiated. The moderate ratios will serve as a buffer against summer bill increases that customers in hot climate zones could encounter. Also, moderate TOU rates will serve the desired purpose of sending a price signal to customers to conserve electricity in periods during which it is more expensive and dirtier for the utilities to provide it.

2. Utilities should institute a summer moratorium on disconnections for CARE/FERA customers.

The Commission should adopt a summer moratorium on disconnections for CARE/FERA customers who are defaulted to TOU rates. In its Opening Testimony, ORA proposed that the utilities should institute a summer[17] moratorium on disconnections for CARE/FERA customers defaulted to TOU rates either through a Default Pilot or the Mass Migration, during the customers' first year on TOU rates.[18] Utilities, such as PG&E argued that the proposed summer moratorium on CARE/FERA disconnections "would add considerable operational cost."[19] Similarly, SCE stated that ORA's proposed moratorium would "increase the problem associated with growing

[16] Resolution E-4847 provides guidance on the design of Default TOU rates: "Per ORA's request, we reiterate here that the determinations in this Resolution are limited to the implementation of the default pilot. Default Rate 1 and 2 are approved for the purposes of the default pilot only. The appropriate rate for the full rollout of the default TOU will be determined through SCE's RDW application." Resolution E-4847, Adoption of Southern California Edison Company's residential default time-of-use pricing pilot pursuant to Decision 15-07-001, p. 26, approved by Commission on May 11, 2017; available online at http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M186/K711/186711908.PDF.

[17] Per Exhibit No. PG&E-303, PG&E's Rebuttal Testimony on Section 745, p. 4, "summer" is defined as June through September, as adopted by the Commission for PG&E's existing E-TOU rates and proposed for E-TOU-C3. ORA would apply this definition for all utilities absent a showing by a utility of why it should be defined differently.

[18] Exhibit No. ORA-301, ORA Opening Testimony, p. 20.

[19] Exhibit No. PG&E-303, PG&E's Rebuttal Testimony on Section 745, p. 3.

arrearages for the customer."[20] PG&E and SCE also argued they have alternative procedures and proposals in place that they assert are superior to a summer moratorium on disconnections.[21] No utility has made a showing of precisely how costly the proposed moratorium would be. Moreover, the moratorium ORA proposes would provide an opportunity for the utilities to intervene in a timely fashion as customers fall behind on payment, and present the customers with options, including opting out of TOU rates.[22]

3. Utilities should offer Level/Balanced Payment Plans.

The Commission should instruct the utilities to use Level/Balanced Payment Plans, as part of their ME&O measures, to mitigate customer harm. Utilities should engage in proactive intervention, and promote available programs such as Level/Balanced Payment Plans, in order to ensure that economically vulnerable customers who are defaulted to TOU rates are provided with options to alleviate any potential hardship caused by the Default TOU rates.[23]

PG&E "agrees with ORA that proactive promotion of programs, such as PG&E's Balanced Payment Plan and Bill Alerts are a key part of the default TOU implementation strategy and may help alleviate potential TOU-related impacts on economically vulnerable customers."[24] SCE "will also test Level Pay Plan in its Default TOU Pilot among a subset of economically vulnerable customers who might experience budget distress from the added monthly bill volatility from a TOU rate structure."[25] San Diego Gas & Electric Company (SDG&E) "fully supports ORA's [Level/Balanced Payment

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[20] Exhibit No. SCE-303, SCE's Section 745 Track Rebuttal Testimony, p. 38.

[21] *See id.*, pp. 37-38; *see also* Exhibit No. PG&E-303, PG&E's Rebuttal Testimony on Section 745, pp. 3-5.

[22] Exhibit No. ORA-301, ORA Opening Testimony, p. 21.

[23] *See* Exhibit No. ORA-301, ORA Opening Testimony, p. 2.

[24] Exhibit No. PG&E-303, PG&E's Rebuttal Testimony on Section 745, p. 5.

[25] Exhibit No. SCE-303, SCE's Section 745 Track Rebuttal Testimony, p. 33.

Plan] recommendation."[26] UCAN stated, "the possibility of unreasonable hardship can be mitigated by the availability of levelized payment plans to avoid or balance high summer bills with low winter bills."[27]

Thus, as shown above, all parties that commented on this issue[28] support ORA's recommendation for utilities to use Level/Balanced Payment Plans as a tool to help alleviate the worst bill impacts of TOU rates during the hot summer months.

4. Bill Protection

a) Bill protection should be provided to TOU customers in the first year.

Bill protection is an important, statutorily-required,[29] mitigation measure. All customers deserve bill protection for the first year on TOU rates. A customer who opts for a TOU rate should be afforded the same bill protection measures as a customer who is defaulted onto a TOU rate. Not only is this a question of equity, but also it could encourage more customers to opt into a TOU rate.

b) Bill protection should end after twelve months.

Bill protection should not go on indefinitely. After the Mass Migration, if a new customer moves into the territory or an existing customer moves within the territory, those customers should not receive bill protection. The bill protection should be a temporary mitigation measure, meant to mitigate financial risks to customers as they learn how TOU rates work and understand their effect. Bill protection should not become an ongoing cost to utilities and all ratepayers. If bill protection was extended every time a customer moved, it would go on indefinitely. Furthermore, once TOU is the standard rate, there will be no relevant previous rate to which to compare for purposes of bill

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[26] Exhibit No. SDG&E-304, Butler Rebuttal Testimony, p. 3.

[27] Exhibit No. UCAN-301, Opening Testimony of Section 745 Interpretation and Implementation Issues, p. 5.

[28] *See supra* notes 23-27.

[29] *See* P.U. Code Section 745 (c)(4).

protection. Indeed, a close reading of P.U. Code Section 745 (c)(4) reveals that the Legislature intended for bill protection only to extend where customers had a “previous rate schedule” to which to compare.[30]

c) Utility-specific bill protection proposals.

This proceeding should make general policy for all utilities statewide. If a specific utility has bill protection issues related to its unique circumstances or schedule for TOU implementation, those issues can be addressed properly within the scope of the utility’s appropriate Default TOU implementation proceeding.

D. Implementation Issues

1. The TOU rate should become standard at the beginning of the Initial Default Mass Migration Period, rather than at the end, i.e. March 2019.

The Commission should adopt TOU rates as standard rates at the beginning of the Mass Migration period. ORA supports PG&E’s proposal for the transition from the standard Tiered rate to a “mild TOU rate”[31] at the beginning of the Mass Migration period. ORA states in its Opening Testimony that delaying the implementation of TOU as the standard rate at the beginning of Mass Migration could result in potential rate confusion and rate instability.[32] PG&E states “[a]ligning the start of the Initial Default TOU Migration Period with the change to a TOU rate becoming the ‘standard,’ will allow increased messaging consistency improving customer understanding and awareness of TOU. This proposal also would allow for bill protection to apply to all customers

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[30] P.U. Code Section 745 (c)(4) reads:

> A residential customer shall not be subject to a default time-of-use rate schedule unless that residential customer has been provided with not less than one year of interval usage data from an advanced meter and associated customer education and, following the passage of this period, is provided with no less than one year of *bill protection during which* the total amount paid by the residential customer for electric service shall not exceed *the amount that would have been payable by the residential customer under that customer’s previous rate schedule* [emphasis added].

[31] Exhibit No. PG&E-301, PG&E Section 745 Opening Testimony, p. 49.

[32] Exhibit No. ORA-301, ORA Opening Testimony, p. 25.

(default, opt-in or start/transfer) during this 1-year period and remove the need for any 'clean-up' waves of default."[33]

Furthermore, P.U. Code Section 745 (c)(4) refers to "…the amount that would have been payable by the residential customer under that customer's previous rate schedule."[34] A plain reading of this statute indicates that in order for a residential customer to be "subject to default [TOU] rate[s]," that customer must have been a previous customer of the utility.[35] That customer must necessarily have had a "previous rate schedule," to which to compare the TOU rates for purposes of offering bill protection.[36] If a new customer moves into a utility's service territory during or after the Mass Migration period, they have no historical interval usage data, and thus TOU rates are the standard rate or the status quo.

To decide that new customers must first go on Tiered rates for a year if they move into a utility's service territory during or after the Mass Migration would create a bizarre and likely unintended legacy of Tiered rates when the rest of the non-exempt, non-opted out population is already on TOU rates.

PG&E agrees with ORA's interpretation of P.U. Code Section 745 (c) that being "subject to a default time-of-use rate schedule only applies to customers that have already been taking service at that address."[37] Thus, a new customer would not have a previous schedule and that customer can properly be placed on a TOU rate.

For these reasons, ORA recommends that the Commission adopt TOU rates as standard and/or default rates at the beginning of Mass Migration period.

[33] Exhibit No. PG&E-301, PG&E's Amended Opening Testimony on Section 745, p. 46.

[34] *See supra*, note 30.

[35] *See id*.

[36] *See id*.

[37] *See* Exhibit No. PG&E-303, PG&E's Rebuttal Testimony on Section 745, p. 6.

2. Utilities should retain customer rate choice when a customer moves within the same utility service territory.

As a matter of policy, if a customer opts out of TOU rates, that customer's rate choice should be retained if that customer later moves to another service address within the same utility's service territory. Similarly, if a customer opts into TOU, that customer should remain on TOU if they move to a new service address within the same utility's service territory. At the Workshops all the utilities asserted that they would actively engage new and transferring customers in an effort to get them to proactively select a rate option that is best for the customer.

Nonetheless, if a utility can show that operational issues prevent treating transferred customers differently than new customers as far as customer rate choice is concerned, treatment of transferred customers as new customers for purposes of determining whether to default transferred customers onto Tiered or TOU rates, is acceptable.

3. P.U. Code Section 745 (d) does not require the same level of analysis for future rate changes.

The Commission should consider future changes to TOU rates in the same fashion it currently considers changes to Tiered rates. P.U. Code Section 745 (d) requires that prior to authorizing Default TOU rates, the Commission must consider the extent to which hardship will be caused to customers in hot, inland areas and residential customers in areas with hot summer weather, assuming no change in overall usage during peak periods.[38] This P.U. Code Section refers to an analysis that does not need to be

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[38] P.U. Code Section 745 (d) states:

> The commission shall not require or authorize an electrical corporation to employ default time-of-use rates for residential customers unless it has first explicitly considered evidence addressing the extent to which hardship will be caused on either of the following:
>
> (1) Customers located in hot, inland areas, assuming no changes in overall usage by those customers during peak periods.
>
> (2) Residential customers living in areas with hot summer weather, as a result of

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performed as a regular part of the utilities' routine Default TOU rate updates. The plain language states that the Commission has to conduct an analysis prior to the utilities being authorized to "employ" Default TOU rates, but does not speak to the matter of future rate changes after the initial Default.

Moreover, if a Section 745 (d) analysis were required for each equivalent future filing such analysis would have to be repeated multiple times a year for each utility. Instead, consistent with current practice, whenever there is a rate or rate design change, the Commission, the utilities, and intervenors should assess bill impacts in order to minimize adverse impact on different classes of customers.

4. The Commission should adopt uniform rules for all utilities, where practicable.

In the interest of administrative and regulatory efficiency, as well as minimization of customer confusion, the Commission should adopt uniform TOU implementation rules for all three utilities. If however, a utility can show why its particular situation warrants different treatment, ORA is amenable to the application of different implementation rules, on a case-by-case basis, if such different treatment would be in the interest of ratepayers.

IV. CONCLUSION

TOU rates are advantageous in that they reflect the drivers of utility costs better than Tiered rates. The Commission has stated as much, finding that "TOU rates align with the rate design principles better than Tiered rates to the extent that they reflect the time variation of marginal energy and capacity costs."[39] TOU rates offer a strong price signal to customers to conserve electricity during the peak periods, when the costs for utilities to provide electricity are elevated. TOU rates empower customers to manage

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seasonal bill volatility, assuming no change in summertime usage or in usage during peak periods.

[39] D. 15-07-001, Finding of Fact 100, p. 317.

their bills by shifting usage from high cost periods to low cost periods. This cannot be accomplished by the Tiered rates.

To mitigate potential bill impacts of TOU rates for vulnerable customers, ORA recommends an array of mitigation measures, including:

- moderating TOU rates;
- utilization of the statutorily required bill protection;
- effective ME&O;
- implementing a summer moratorium on disconnections;
- encouraging the use of Balanced/Level Payment Plans; and
- educating customers about opt-out options.

ORA supports statutorily required bill protection but does not interpret that requirement to attach to new customers, as that would require indefinite bill protection.

The TOU rate should become the standard rate at the beginning of the Mass Migration, rather than at the end. This would place customers that move into the utility's service territory after the start of Mass Migration on Default TOU rates.

Furthermore, the utilities should retain a customer's rate choice as it relates to an existing utility customer transferring to a new service address within the same utility service territory. The Commission is not required to perform additional hardship analysis any time a rate changes.

Lastly, the Commission should set policies that set uniform treatment for all utilities.

ORA asks the Commission to adopt its recommendations discussed above.

Respectfully submitted,

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